

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-mj-8209-RMM

UNITED STATES OF AMERICA

vs.

DANIEL ELIE BOUAZIZ,

Defendant. /

FILED BY SP D.C.

May 25, 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - West Palm Beach

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 9, 2013 (Mag. Judge Alicia Valle)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
3. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No

Respectfully submitted,
JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

BY:

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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Daniel Elie Bouaziz,

Case No. 22-mj-8209-RMM

Defendant(s)

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ANGELA E. NOBLE
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CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/21/20 through 10/25/21 in the county of Palm Beach in the
Southern District of Florida, the defendant(s) violated:

Code Section

Title 18, United States Code,
Section 1341

Title 18, United States Code,
Section 1343

Title 18, United States Code,
Section 1956(a)(1)(A)(i)

Title 18, United States Code,
Section 1957.

Offense Description

Mail Fraud, Wire Fraud, Laundering of Monetary Instruments, and Money
Laundering

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Marc A. Gervasi

Complainant's signature

Marc A. Gervasi, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

5/25/22

Ryon M. McCabe

Judge's signature

City and state: West Palm Beach, FL

Ryon M. McCabe, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Marc A. Gervasi, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed since June 2004. As part of my duties as a Special Agent, I investigate financial crimes and fraud schemes, particularly those that use the mail and wires in furtherance of schemes to defraud. My responsibilities currently include violations of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1343 (wire fraud), 18 U.S.C. § 1956 (laundering of monetary instruments), and 18 U.S.C. § 1957 (money laundering). I also am a Certified Fraud Examiner, accredited by the Association of Certified Fraud Examiners (ACFE). Additionally, I am a current member of the FBI's Art Crime Team with an FBI specialized certification for investigating fraud related to art.

2. The facts set forth in this affidavit are based on my personal knowledge; information obtained in this investigation from others, including other law enforcement officers; my review of documents, pictures and records related to this investigation; and information gained through training and experience. This affidavit is submitted for the limited purpose of showing there is sufficient probable cause for the requested criminal complaint against Daniel Elie Bouaziz ("Bouaziz"), and as such, it does not include each and every fact known to the Government about this investigation.

3. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Bouaziz, doing business as ("dba") Galerie Danieli, Danieli Fine Art, and VIP Rentals, LLC, committed violations of 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. §

1343 (wire fraud), 18 U.S.C. § 1956(a)(1)(A)(i) (laundering of monetary instruments), and 18 U.S.C. § 1957 (money laundering).

PROBABLE CAUSE

A. Bouaziz's Background

4. The FBI has been investigating art dealer Bouaziz, a French citizen born in Algeria, for selling fake art to unsuspecting victims from his various businesses, in particular Danieli Fine Art, located at 226A Worth Avenue, Palm Beach, Florida (FL) 33480 ("226A Worth Avenue"), and Galerie Danieli, located at 230 Worth Avenue, Palm Beach, FL 33401 ("230 Worth Avenue"), and for laundering the illicit sales proceeds. During the course of the investigation, law enforcement agents identified victims who unknowingly purchased art that Bouaziz represented as original and/or authentic pieces, from prominent artists such as Andy Warhol ("Warhol"), Banksy, and Roy Lichtenstein ("Lichtenstein"), but which turned out to be inexpensive reproductions that were not created by the artists. Additionally, law enforcement conducted one \$25,000.00 undercover purchase of fraudulent art from Bouaziz's art gallery and placed a down payment in virtual currency for a collection of artwork that included fake pieces being sold by Bouaziz for \$22,000,000.00.

5. During the course of the investigation, the FBI reviewed records for various accounts, to include Bouaziz's TD Bank, N.A. business account ending in -9884, titled VIP Rentals, LLC, dba Danieli Fine Art ("Account -9884"); Bouaziz's personal TD Bank, N.A. account ending in -3205 ("Account -3205"); Bouaziz's TD Bank Merchant Services Account ending in -9031, titled VIP Rentals, LLC dba Danieli Fine Art ("Account -9031"); and Bouaziz's personal TD Bank Account ending in 1826 ("Account 1826"). The FBI did not observe a single transaction in those accounts in which Bouaziz or his galleries purchased high-value artwork

commensurate with the artwork Bouaziz sold to victims as original pieces. Rather, as discussed below, Bouaziz purchased low-cost reproductions from online auction sites that he then resold to unsuspecting victims, as originals, at drastically increased prices (for example, Bouaziz purchased a Warhol reproduction for \$100.00 and then sold it to a victim as an original for \$85,000.00). Bouaziz himself appraised the inauthentic artwork he sold to the victims at the increased rate. Bouaziz represented to the victims that he was an official appraiser and art expert. On occasion, Bouaziz included a fake provenance with the inauthentic artwork and/or had a signature added to the piece to increase the perceived monetary value of the work and induce the perception of its authenticity.

6. The investigation revealed that Bouaziz sold fake art from his two art galleries on Worth Avenue in the high-end area of Palm Beach, in the Southern District of Florida, despite, as the U.S. Citizenship and Immigration Services (“USCIS”) advised the FBI, Bouaziz being a non-U.S. person who traveled to the U.S. on a B-2 Visitor Visa and was thereby not permitted to own or work at an art gallery. Records reviewed by the FBI show that Bouaziz submitted, in April 2021, an application for a Small Business Administration (“SBA”) Paycheck Protection Program (“PPP”) loan for his business VIP Rentals, LLC and falsely affirmed therein that he was a U.S. citizen. USCIS advised the FBI that, in or about August 2021, Bouaziz applied for permanent legal residence in the U.S. by submitting USCIS Form I-485, wherein he certified under penalty of perjury that he was retired, had not committed a crime, and did not intend to engage in unlawful activity.

7. On December 15, 2021, law enforcement agents executed search warrants at two of Bouaziz’s galleries: (1) Danieli Fine Art located at 226A Worth Avenue, and (2) Galerie Danieli located a few doors down at 230 Worth Avenue (Case Nos. 21-mj-8484-SMM and 21-mj-8485-

SMM, respectively).¹ The search warrant affidavit discussed in detail witness statements and reports received by the FBI, prior to the execution of the search warrants. For example, as mentioned in the affidavit, one witness reported to the FBI that he/she observed several forged Keith Haring (“Haring”) artworks on the wall of Bouaziz’s gallery, on or about October 2021, and that the artworks were obvious fakes, surmising that Bouaziz would only need to sell one or two (fake) works per month to cover Bouaziz’s expenses. Another witness stated that if the fake Banksy artworks at Danieli Fine Art were real then they would be valued at millions of dollars, and that a Jean-Michel Basquiat (“Basquiat”) painting at Bouaziz’s gallery, with a signature that was not by the hand of Basquiat, was “1,000% fake.” A third witness reported that he/she had visited Danieli Fine Art in approximately March 2021 and viewed approximately 30-40 artworks, none of which appeared genuine, such as a Lichtenstein piece the witness believed was not the same dimensions as the authentic Lichtenstein artwork. This third witness was aware of an art collector who purchased a purportedly original Warhol work, titled *Superman*, from Bouaziz, but which had a fake stamp on verso (on the back of the work).

B. FBI Agent Conducted Undercover Purchases at Bouaziz’s Galleries

8. Prior to the execution of the search warrants at Bouaziz’s Worth Avenue galleries, an undercover agent had purchased fraudulent art from Bouaziz and discussed the sale of additional artwork.

¹ In December of 2022, law enforcement agents executed a total of seven search warrants related to this investigation, to include a warrant on Bouaziz’s person and cellular telephones in his custody and control (Case No. 21-mj-8488-SMM). See also Case Nos. 21-mj-8486-SMM, 21-mj-8489-SMM, and 21-mj-8490-SMM. All seven search warrants included the same probable cause affidavit.

9. On September 11, 2021, an FBI Undercover Employee (“UCE”) purchased from Bouaziz a Warhol work titled *Superman* which had a fake stamp on verso. The UCE, utilizing covert audio and video recording equipment, had entered Bouaziz’s gallery at 230 Worth Avenue (Galerie Danieli) to discuss the potential purchase of artwork that Bouaziz had available for sale. Bouaziz described the *Superman* work as “top notch” and stated, “The *Superman* you cannot find it. There is no other. And my advice, I really gave you a fantastic price. You can only make money.” Bouaziz had offered the *Superman* artwork to the UCE for the purchase price of \$26,000.00.

10. When the UCE asked Bouaziz to elaborate on the Warhol signature inscribed on the *Superman*, Bouaziz responded, “This is very rare...He made um, he made um, he made like a hundred of *Superman*, a hundred of them. This is, this is one of [sic] to me, this is one of the good ones. You know, that's a beauty. It's a small number. It's really good.”

11. The UCE noticed a “CMOA” stamp on verso of the *Superman* Bouaziz offered for sale. According to online auction records, “CMOA” represents Carnegie Museum of Art. In or about November 2021, I contacted the Archives Department at the Andy Warhol Museum, as well as the CMOA, to obtain additional information about the Warhol *Superman* print edition with the CMOA stamp on verso. A representative of the Andy Warhol Museum stated he/she was not aware of any partnership between Warhol and CMOA in which Warhol authorized CMOA to print a *Superman* edition series. A representative of the Permanent Collection and Archives at CMOA stated that neither CMOA nor the Andy Warhol Museum published *Superman* prints. The representative also advised the FBI that it never owned or used a “CMOA” stamp such as that which appeared on the *Superman* print for sale by Danieli Fine Art, and that CMOA was aware of “suspicious” Warhol prints being sold on eBay purportedly from CMOA. The representative had

reported the issue to eBay. Based on my training and experience, I know that it is common for fake artwork to be labeled or stamped with gallery or exhibition information, in an effort to bolster the credibility of the artwork being sold.

12. Ultimately, Bouaziz agreed to sell the *Superman* print to the UCE for \$25,000.00. On September 11, 2021, the UCE provided \$15,000 in pre-recorded U.S. currency to Bouaziz's employee (Employee 1), who indicated he intended to provide the cash to Bouaziz upon his return to the gallery. A second employee of Bouaziz (Employee 2) provided the UCE with a computer-generated invoice for the \$25,000.00 purchase, a Certificate of Authenticity (COA), and an appraisal that listed the value of Warhol's *Superman* as \$30,000.000. The appraisal was signed and certified by Bouaziz, with the stamped signature block notating "Daniel Bouaziz, Certified International Fine Art Appraiser." The COA provided to the UCE was signed by Bouaziz and described the work as the following:

Year: 1981

Version: Signed limited edition print

Medium: Screenprint

Edition: 55/100

Signature: Signed, numbered in pencil

Size (H x W): 15.75" x 19.69

13. The COA also contained the statement "This certificate hereby verifies the authenticity of the following artwork."

14. On or about September 15, 2021, an email was sent from danielifineart@gmail.com, via interstate commerce, to the UCE with instructions to wire the remaining balance for the artwork purchase to Account – 9884 (TD Bank headquarters are in Mount Laurel, New Jersey).

15. Instead of sending the money by wire, on or about September 23, 2021, a Special Agent of the FBI, on behalf of the UCE, mailed a cashier's check made out to Danieli Fine Art in the amount of \$10,000.00 from a U.S. state outside of Florida to 226A Worth Avenue. The UCE's cashier's check for \$10,000.00 was deposited into Bouaziz's Account -9884 on or about September 27, 2021. On or about September 30, 2021, a payment, by wire, in the amount of \$59,906.25 was made to Palm V Associates from Bouaziz's Account -9884. Records indicate Bouaziz paid Palm V Associates approximately \$60,000.00 a month to lease his two Worth Avenue galleries.

16. Prior to Danieli Fine Art shipping the Warhol *Superman* screenprint, the UCE called the gallery and requested to substitute a Lichtenstein print for the Warhol *Superman* screenprint purchase. The gallery agreed to the substitution.

17. As background, during the recorded meeting with the UCE at Bouaziz's Worth Avenue galleries on September 11, 2021, Bouaziz had offered to the UCE a Lichtenstein screenprint titled *The Solomon R. Guggenheim Museum*. When describing the Lichtenstein screenprint to the UCE, Bouaziz stated, "I love this piece. Very difficult to find. Very, very difficult to find. I, I guess you checked already. Very difficult to find. We did good when I bought them, one in auction this one. We did good." Bouaziz then referenced three other Lichtenstein works which he described as being "from the time" and noted "all the Lichtensteins we have are very good." Bouaziz also stated, "[a]s an investment, you cannot lose money here (pointing to the screenprint titled *The Solomon R. Guggenheim Museum*). I mean this piece is normally probably forty, forty-five thousand. I know you (gesturing to Employee 1), I know you give a price (of \$26,000.00) because you saw how much we paid and I'm not coming back on what you say but the real price is that."

18. When the UCE asked Bouaziz to describe his expertise in Lichtenstein, Bouaziz replied, "Well, this is an original. It come from auction and I write you a certificate. Anyway, five years from here we pay you 5% on top of your money if you don't want it. It's in our contract." Bouaziz stated, "I buy about 200 paintings in auction every year and I guarantee my stuff. I mean I am behind my stuff." In discussing artwork of interest to the UCE for purchase, Bouaziz also stated, "...[B]ut I like your first choice (referring to *The Solomon R. Guggenheim Museum* screenprint) because it's a rare one. It, it, it's, how do you call this, not something that you are going to find tomorrow morning or that you are even going to see many times. It's not going to happen. Here we are trying to have the top guns of the things. I'm not buying things that everybody has. That's why you don't see them in the other galleries." Bouaziz further described the piece as "top notch."

19. The day prior to this conversation, on September 10, 2021, Employee 1 informed the UCE that Bouaziz acquired *The Solomon R. Guggenheim Museum* from Hans Shemke,² who Employee 1 further described as a German billionaire that lived in Peru and who had an art collection that included a stamp worth \$3,000,000.00.

20. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and observed an invoice from Live Auctioneers, an online auction platform where Bouaziz was known to purchase artwork. According to an invoice dated January 24, 2021, Bouaziz purchased Lot Number 0088, titled Roy Lichtenstein, *Original Lithograph Limited Edition*, for €450 euros from a company in Spain (that sold through Live Auctioneers). The invoice listed the billing and

² "Shemke" was spelled in various ways on documents associated with Bouaziz, such as on a Danieli Fine Art invoice that referenced the name as "Schemke" and then later as "Shemke"; for consistency, the spelling "Shemke" is used in this affidavit.

shipping address for Bouaziz as 230 Worth Avenue. I reviewed Lot Number 0088, dated January 24, 2021, on the Live Auctioneers site and observed an artwork with the same title, Roy Lichtenstein, *Original Lithograph Limited Edition* (See Attachment A, *Figure 1*). The artwork Bouaziz purchased on-line was identical in image to *The Solomon R. Guggenheim Museum* screenprint Bouaziz sold to the UCE for \$25,000.00. In the description section of Lot Number 0088 on the Live Auctioneers site was written, “Has no certificate.”

21. I also referenced the print catalogue raisonné of Lichtenstein in an attempt to authenticate Bouaziz’s *Solomon R. Guggenheim Museum* piece (a catalog raisonné is a comprehensive, annotated listing of all known works by an artist). In “The Prints of Roy Lichtenstein: A Catalogue Raisonné 1948 – 1997,” published by Hudson Hills Press in 2002, *The Solomon R. Guggenheim Museum Poster* in the catalog raisonné was noticeably different than *The Solomon R. Guggenheim Museum* print being sold by Bouaziz. Aside from color differences, *The Solomon R. Guggenheim Museum Poster* in the catalogue raisonné was numbered in pencil on the front lower right as an edition of 250, whereas the *Solomon R. Guggenheim Museum* print Bouaziz sold to the UCE was numbered on the front lower left as an edition of 150.

22. On or about October 8, 2021, *The Solomon R. Guggenheim Museum* print was delivered, via Federal Express, at the FBI undercover office location (See Attachment A, *Figure 2*). Also included in the package from Danieli Fine Art was a black folder, which contained Bouaziz’s business card, invoice, a \$30,000.00 appraisal signed by Bouaziz with the stamped signature block “Daniel Bouaziz, Certified International Fine Art Appraiser,” and a Danieli Fine Art COA that read “This certificate hereby verifies the authenticity of the following artwork.”

The invoice listed the following information:

Danieli Fine Art
226A Worth Ave
Palm Beach, FL 33480
Phone: 561-653-1482
Email: info@danielifineart.com
Invoice #: 239
Date: 09/11/2021
COMMENTS OR SPECIAL INSTRUCTIONS: PAYMENT CAN
BE MADE BY CREDIT CARD, WIRE, OR CHECK.
Artist: Roy Lichtenstein (1923-1997)
Title: The Solomon R. Guggenheim Museum
Year: 1969
Version: Signed limited edition print
Medium: Screenprint on Lanaquarelle watercolor paper
Edition: 12/150
Signature: Signed, number in pencil
Size (H x W) 15.75 x 19.69 Inches
Castelli stamp on verso
Unit Price: \$25,000
Deposit: \$15,000
Total Due: \$10,000 (stamped "PAID" in red)

23. On December 7, 2021, FBI Art Crime Team agents examined The *Solomon R. Guggenheim Museum* print under magnification and observed that it did not have an original signature but was signed with a mechanical reproduction process in such a way that it appeared pencil signed to the naked eye. The edition number, 12/150, on the piece was pencil-signed.

24. During the UCE's recorded visit to Galerie Danieli, on September 11, 2021, Bouaziz also offered to sell the UCE other artwork, to include a purportedly original "Blue Dog" piece by George Rodrigue ("Rodrigue"). Bouaziz described the work as a painting and not a print, adding that Rodrigue paintings were selling between \$60,000 and \$120,000 and were going up in price. When asked what he could tell the UCE about the Rodrigue, Bouaziz picked up the painting and stated it "came from a gentleman in Palm Beach. Beauty. Not much to say. It's just a beauty." While displaying the painting's verso to the UCE, Bouaziz stated, "Signed, stamped. Uh, was in a

show in California. It's a well-known piece. We write a certificate and I am an official appraiser for Florida." Bouaziz added, "And I am in the book of the, uh, experts so of course, and I am French. It's important because that is an original Rodrigue. That's a beauty. That's why when we frame we show everything." Bouaziz advised he was asking \$65,000.00 but "could go 48" for the Rodrigue, indicating that the UCE could not lose money on the purchase. During his conversation with the UCE, Bouaziz stated, "There (referring to Blue Dog painting), you are going to make money. I'm saying the honest thing." Bouaziz also told the UCE, "You have an original (referring to the Blue Dog painting) and you have a lithograph (referring to The Solomon R. Guggenheim Museum piece) ok so it would be dishonest to say different."

25. On September 2, 2021, I had visited Galerie Danieli and photographed the Blue Dog painting, bearing a "Rodrigue" signature on the lower left front of the painting (See Attachment B, *Figure 3*). Thereafter, I provided a digital image of the photograph to the Rodrigue Studio, which is the exclusive gallery for artwork by Rodrigue. In September 2021, I was informed by a curator at the Rodrigue Studio that the painting was not authentic and that the signature was "definitely fake."

26. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and observed an invoice from Live Auctioneers dated June 5, 2021. According to the invoice, Bouaziz purchased Lot Number 0280, titled *After George Rodrigue Blue Dog Mixed Media/Paper*, for \$140.00 from a company in West Palm Beach, FL. The billing address listed Bouaziz at 230 Worth Avenue. I reviewed Lot Number 0280, dated June 5, 2021, on the Live Auctioneers site and observed that it was identical in image to the Rodrigue Blue Dog painting Bouaziz offered to the UCE as an original Rodrigue for \$48,000 (See Attachment B, *Figure 4*). Lot Number 0280 on

the Live Auctioneers site described the piece as "After George Rodrigue." Based on my training and experience, I know that the term "after" is used to describe a copy of an original artist's work.

27. On or about December 13, 2021, the UCE and Bouaziz entered into a purchase agreement for a collection of artwork by artists to include Basquiat, Banksy, Haring, and Georgia O'Keeffe, that Bouaziz intended to sell the UCE. The total, agreed upon price, for the artwork was \$22,000,000.00. On December 13, 2021, the UCE wired .012345 Bitcoin to the digital currency wallet address provided by Bouaziz toward the purchase price. On the same day, Bouaziz requested from the UCE an additional Bitcoin payment. The UCE then wired .007 Bitcoin to the digital currency wallet provided by Bouaziz toward the purchase price.

28. The Basquiat piece included in the purchase agreement had been discussed during the UCE's prior visit to Danieli Fine Art on September 11, 2021, during which time the UCE asked Bouaziz to comment on a Basquiat painting displayed in the gallery. Bouaziz responded, "The Basquiat is mine. The story is here. There is nothing to say. The story is right here on the back (pointing to a gallery label)." On the back of the artwork, the UCE observed a gallery label from Galerie Chalette indicating the artist was Basquiat. Stamped on the Galerie Chalette label was "The Estate of Jean-Michel Basquiat." Bouaziz added that the painting "comes from the Chalette Galerie." Bouaziz continued, "Provenance is father of Basquiat so there is not really a conversation about it." Based on my training and experience, provenance refers to the history of the ownership of a painting. Further, a seller may misrepresent the provenance in an attempt to bolster the appearance of authenticity of the artwork. Bouaziz and the UCE agreed on a purchase price of \$12,000,000.00 for the Basquiat painting (See Attachment C, *Figure 5*).

29. The FBI provided digital images of the above-described Basquiat painting and an additional Basquiat painting which was also on display at Bouaziz's gallery, to a subject matter

expert ("SME-1"), who was a member of the authentication committee of the Estate of Jean-Michel Basquiat. SME-1 stated to the FBI, in November 2021, that both Basquiat paintings were fake. Additionally, in November 2021, I and other FBI Art Crime Team Agents conducted research at the Smithsonian Institution's Archives of American Art, to examine documents relating to Galerie Chalette and saw no references to Basquiat or any of his artwork.

30. On December 15, 2021, during a meeting between the UCE and Bouaziz at Danieli Fine Art, the UCE asked for the story behind Bouaziz's acquisition of the piece. Bouaziz responded, "I bought it from my friend (referring to Hans Shemke) who bought it from the family of Basquiat."

31. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and discovered an invoice from Live Auctioneers, dated January 10, 2021. According to the invoice, Bouaziz purchased, from a company in New York, Lot Number 0928, titled *Jean-Michel Basquiat*, for \$495.00. The invoice listed the shipping address for Bouaziz as 925 North Railroad Avenue, West Palm Beach, Florida.³ I reviewed Lot Number 0928, sale date of January 10, 2021, on the Live Auctioneers site and observed an artwork with the same title, *Jean-Michel Basquiat* (See Attachment C, *Figure 6*). The artwork Bouaziz purchased on-line for \$495.00 was identical in image to the fake Basquiat artwork Bouaziz was selling to the UCE for \$12,000,000.00.

32. Also, during the UCE's visit in September 2021, Bouaziz, referring to Danieli Fine Art, advised they have "two original Banksy's there." Bouaziz continued, "We have, uh, the stop sign, the stop sign was the sign that was on (unintelligible) the police they shoot at the people there and you have the bullet on the stop sign. It's a piece, a well-known piece." On December 11, 2021,

³ The investigation revealed that the 925 North ("N.") Railroad Avenue address was the warehouse site of Bouaziz's company Danieli Artworld, prior to Bouaziz's sale of the property in July 2021.

the UCE again visited both of Bouaziz's galleries on Worth Avenue and observed numerous pieces of what appeared to be fraudulent art on display, to include a Banksy red American stop sign. While at Danieli Fine Art, Bouaziz offered to sell the UCE the Banksy stop sign and provided the following information regarding the piece's provenance: "[T]he guy that stole it sold it to me. I know he did because I was there. That's a real piece." When the UCE asked if the police were shooting at Banksy or someone else (referring to the appearance of bullet holes in the stop sign), Bouaziz responded, "They were shooting at the people trying to, uh, that night they took, maybe you heard about this story, it was a pub and Banksy did one on the door of the pub. He did the sign and he did, he did another piece at exactly the same address. They took the door. They took the two other things and they took the sign. So the police came. They shoot at them. They shoot at them and you see what happen so everybody knows that piece. It's a known piece." The UCE noted, "[T]hat's a cool story," to which Bouaziz replied, "It's a cool story. And I know who did and I know when and how." When asked how long ago this occurred, Bouaziz replied, "[t]welve years, sixteen." Bouaziz and the UCE agreed on a purchase price of \$140,000.00 for the purported original Banksy stop sign.

33. On December 15, 2021, during the execution of the Worth Avenue search warrants, I interviewed Bouaziz inside Galerie Danieli. During the interview, Bouaziz stated he purchased a Banksy stop sign from Black River Auction. During the execution of the search warrants at Bouaziz's galleries, law enforcement seized the Banksy stop sign Bouaziz intended to sell the UCE. Further, during the search warrants, I observed on a table at Galerie Danieli, a handwritten note signed by Bouaziz that appeared to be a purported provenance for the Banksy stop sign. The note conveyed that the Banksy stop sign was part of Bouaziz's collection, and stated, "Bought From – Hans Shemke Who Bought it From the people that got it around Picadilly Circus [*sic*]."

34. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and observed an invoice dated September 26, 2020, showing a purchase by Bouaziz from Black River Auction, a company located in New Jersey. Bouaziz's shipping address was listed as 230 Worth Avenue. According to the invoice, Bouaziz purchased, through Live Auctioneers, Lot Number 0114A, titled *Banksy Spray Paint Graffiti Rat Stop Sign*, for \$518.40. I reviewed Lot Number 0114A, from September 26, 2020, on the Live Auctioneers site and observed an artwork titled *Banksy Spray Paint Graffiti Rat Stop Sign* sold by Black River Auction. The artwork Bouaziz purchased for \$518.40 was identical in image to the artwork being sold by Bouaziz to the UCE for \$140,000.00.

35. Based on FBI investigation, I know that Black River Auction is owned by Christopher Veit (Veit). The FBI learned that Veit established "Black River Auction" while he was in federal prison for selling counterfeit goods (See Case No. 13-CR-395 (E.D. Pa)). The FBI's analysis of financial records revealed that Bouaziz paid Black River Auction multiple times, through wire, check and credit card transactions from approximately July 2020 – October 2020.

C. Bouaziz Sells Fake Art From His Galleries – Victim 1

36. During the execution of the search warrants at Bouaziz's galleries, law enforcement personnel seized hundreds of pieces of art and records, to include invoices. In reviewing the recovered evidence, in conjunction with this ongoing investigation, members of the FBI identified victims of Bouaziz's fraud scheme, to include individuals discussed below.

37. On or about December 21, 2020, an individual and his/her significant other (collectively, "Victim 1") purchased artwork from Bouaziz for their home. Victim 1 reported to law enforcement that Bouaziz sold to Victim 1, who was new to collecting art, two Warhol pieces that Bouaziz described as original, one-of-a-kind artworks. On the invoice provided by Bouaziz

to Victim 1, the two pieces were described as “ANDY WARHOL,” titled *AND I LOVE YOU SO* (See Attachment D, *Figure 7*) and *Converse sneakers in conversation*. The sale prices were \$85,000.00 and \$40,000.00, respectively for each piece. In the description section of the invoice, both pieces included the notation “Provenance:: Collection Hans Schemke [*sic*]” (also spelled on the same invoice as Hans “Shemke”).

38. Subsequent to the purchase, Victim 1 hired a fine art claims adjustor (“SME-2”) to examine the authenticity of the artwork. SME-2 notified Victim 1 and the FBI that neither of the artworks were Warhol originals. As of March 2022, SME-2 advised me that the original *AND I LOVE YOU SO* artwork was in the Andy Warhol Museum in Pittsburgh, Pennsylvania. SME-2 explained that the Archives Department for the Andy Warhol Museum confirmed that their original was reproduced in a modified print that was authorized/licensed by the Warhol Foundation to be used for a children’s book. SME-2 stated that the item purchased by Victim 1 was a copy of the print for the children’s book. Regarding the second artwork, *Converse sneakers in conversation*, SME-2 explained that he/she contacted the Ronald Feldman Gallery, who collaborated with the Warhol Foundation to produce many of the Warhol catalogues raisonnés. According to SME-2, the Ronald Feldman Gallery verified that the second purported Warhol artwork was not known to them, nor was it known as an original artwork by Warhol.

39. I reviewed subpoenaed documents pertaining to Bouaziz’s acquisition of artwork and observed an invoice from Live Auctioneers, dated May 22, 2019. According to the invoice, Bouaziz purchased Lot Number 0012, titled *After Andy Warhol American (1928-1987)*, for \$100.00 from a company in Peru (See Attachment D, *Figure 8*). The shipping and billing address listed 230 Worth Avenue. I reviewed Lot Number 0012, dated May 22, 2019, on the Live Auctioneers site and observed that the piece Bouaziz purchased online for \$100.00 was identical

in image to *AND I LOVE YOU SO* that Victim 1 purchased from Bouaziz, as an original Warhol, for \$85,000.00. Lot Number 0012 on the Live Auctioneers site described the piece as “After Andy Warhol,” and noted the meaning of the term “after” as the following: “After [Artist Name]: The work was executed by an unknown hand, but is a deliberate copy of a known work by the artist.”

D. Bouaziz Sells Fake Art From His Galleries – Victim 2

40. In or about February 2022, another victim (“Victim 2”) reported to the FBI that he/she had purchased a Lichtenstein artwork from Bouaziz. According to Victim 2, Bouaziz never stated at the time of sale that the Lichtenstein work was a reproduction or a copy. On or about December 29, 2020, Victim 2 purchased what he/she believed to be an original (print) Lichtenstein nude for \$70,000.00, with a subsequent credit card payment that was posted to Bouaziz’s Account –9031. A Danieli Fine Art invoice, numbered 213 (“DFA Invoice 213”), described the Lichtenstein piece purchased by Victim 2 as “Roy Lichtenstein, Nude series 1994,” with edition number “182/199.”

41. I reviewed the Live Auctioneers website and noted that a sale, on or about September 13, 2020, of a piece titled “Roy Lichtenstein – Blue Nude,” edition number “182/199,” appeared to be the same work that Victim 2 purchased from Bouaziz.

E. Laundering of Proceeds Received from Victim 2

42. A financial analysis conducted by the FBI indicates that on or about January 12, 2021, Victim 2’s \$70,000.00 payment posted to Bouaziz’s Account –9031. Then, on or about the same day, the \$70,000.00 was transferred from Account –9031 to Bouaziz’s Account –3205. That same day, check number 4481, from Account –3205, was paid to Yafa Signed Jewels (“YAFA”) in the amount of \$40,000.00. On January 14, 2021, check number 4485, from Account –3205, was paid to YAFA in the amount of \$5,000.00. Also on January 14, 2021, check number 4486,

made payable to cash in the amount of \$10,000.00, was disbursed from Account –3205. Additionally, a payment in the amount of \$5,000.00 from Bouaziz’s VISA credit card was paid to YAFA.

43. According to an invoice, on January 12, 2021, Bouaziz purchased, from YAFA, a watch described as a “Cartier Santos 100 Mystery Palladium and Platinum Watch, Number 2 of 10 made,” for \$10,000.00. The Cartier watch Bouaziz purchased was recovered by law enforcement agents during the execution of a search warrant on Bouaziz’s person on December 15, 2021 (Case No. 21-mj-8448-SMM).

F. Bouaziz Sells Fake Art From His Galleries - Victim 3

44. In or about January 2022, the FBI interviewed another individual (“Victim 3”) regarding artwork he/she had purchased from Bouaziz. According to Victim 3, Bouaziz offered to sell him/her five Warhol artworks from Bouaziz’s private collection. Bouaziz told Victim 3 that all of the works were authentic, original Warhol pieces, and that three were purportedly signed by Warhol. Victim 3 explained that he/she paid Bouaziz a \$200,000.00 down payment while he/she decided which artworks to ultimately purchase. The payment was made via check, on or about October 25, 2021, and deposited into Account -9884. Victim 3 reported that Bouaziz brought the five artworks to Victim 3’s residence, so that Victim 3 could decide on the art – a common practice when purchasing high-end artworks.

45. Pursuant to the aforementioned searches of Bouaziz’s Worth Avenue galleries, law enforcement obtained invoices numbered 242, 243, and 244 from Danieli Fine Art (“DFA invoice 242,” “DFA Invoice 243,” and “DFA Invoice 244,” respectively), all of which indicated that Bouaziz was in the process of selling Warhol artworks to Victim 3. The invoices, dated October

24, 2021, included the following descriptions and sales prices for the five Warhol pieces at a total cost of \$860,000.00:

- a. DFA Invoice 242 was for (1) an Andy Warhol screenprint, titled *Moonwalk*, size 38" x 38," \$75,000.00 and (2) an Andy Warhol screenprint lithograph, titled *Marilyn Monroe*, size 38" x 38," for \$75,000.00.
- b. DFA Invoice 243 was for an Andy Warhol screenprint titled *Ad: Chanel*, size 38" x 38," hand signed lower left, with edition number 53/190, for \$230,000.00.
- c. DFA Invoice 244 was for (1) an Andy Warhol screenprint, titled *Superman*, size 38" x 38," hand signed and numbered, for \$240,000.00 and (2) an Andy Warhol screenprint, titled *Mickey Mouse*, size 38" x 38," hand signed and numbered, for \$240,000.00.

46. I examined subpoenaed documents from WKA, a Florida based online art auction business from which Bouaziz had purchased artwork. I was informed by a WKA representative that Bouaziz had purchased numerous Warhol prints from WKA, including the below listed items, none of which had Warhol's signature or edition numbers:

- a. *Mickey Mouse*, diamond dust, size 38" x 38," sale price of \$1,500.00, purchased on or about February 24, 2021;
- b. *Chanel*, size 38" x 38," sale price \$1,400.00, purchased on or about March 8, 2021;
- c. *Howdy Doody*, diamond dusted, from the Myths Series, size 38" x 38," sale price of \$1,400.00, purchased on or about March 8, 2021; and
- d. *Superman, Mickey Mouse and Moonwalk*, sale price of \$1,500.00 each, purchased on or about October 19, 2021.

- e. *Zebra, Butterfly and Bald Eagle* from Endangered Species series, each size 38" x 38," each with a sale price of \$1,400.00, purchased on or about March 8, 2021.

47. WKA provided the FBI stock images of the *Mickey Mouse, Moonwalk, Superman, and Chanel* prints WKA had sold to Bouaziz. The images appeared similar to the Warhol artworks that Bouaziz was selling to Victim 3, with the notable exception that the *Superman, Mickey Mouse, and Chanel* pieces Bouaziz offered to Victim 3 were purportedly signed by Warhol and editioned.

48. Additionally, during the execution of the search warrants at Bouaziz's Worth Avenue galleries, law enforcement agents discovered Warhol artwork. Located at Galerie Danieli was a framed Warhol print titled *Chanel*, which was signed and numbered. Located in the storage room behind the main gallery space at Danieli Fine Art were approximately eight unframed Warhol screenprints, some of which were from the Endangered Species series and some of which were from the Myths series. The screenprints were titled *Moonwalk, Superman, Bald Eagle, Butterfly, Zebra, Mickey Mouse, and Howdy Doody* (there were two *Howdy Doody* screenprints). Six of these prints were neither signed nor numbered. However, two prints, *Bald Eagle* and one of the *Howdy Doody* prints, had "Andy Warhol" signed in pencil, but none of the signatures appeared to be genuine. Further, agents observed a smudge mark signature in the lower left area of the *Bald Eagle* print, giving the appearance of a failed signature attempt that was erased and redrawn.

49. During the execution of the gallery search warrants, law enforcement agents also discovered a paper containing a handwritten reference to *Mickey Mouse* alongside what appeared to be a handwritten attempt to duplicate Warhol's signature. The paper also contained a handwritten notation "1/30," which appeared to represent an edition number and was scribbled out with ink.

50. The investigation revealed that approximately five days after Bouaziz purchased the unsigned Warhol *Superman*, *Mickey Mouse*, and *Moonwalk* prints for \$1,500.00 each, Bouaziz negotiated the sale to Victim 3 of a signed Warhol *Superman* for \$240,000.00, a signed Warhol *Mickey Mouse* for \$240,000.00, and an unsigned Warhol *Moonwalk* for \$75,000.00 (as well as a signed Warhol *Chanel* for \$230,000.00 and an unsigned Warhol *Marilyn Monroe* for \$75,000.00), for a total cost of \$860,000.00.

51. Following the execution of the search warrants at Bouaziz's galleries, Victim 3 became aware of the investigation into Bouaziz. Victim 3 became concerned that he/she had been sold fraudulent artwork and requested Bouaziz return the \$200,000.00 down payment. Bouaziz returned approximately \$100,000.00. Other victims, who also reported concerns to Bouaziz about the authenticity of their purchased work, both before and after the execution of the gallery search warrants, received some repayment from Bouaziz.

G. Laundering of Proceeds Received from Victim 3

52. The FBI's analysis of financial records associated with Bouaziz's accounts noted the movement and expenditure of funds following Victim 3's down payment for purportedly original artwork. On or about October 25, 2021, a \$200,000.00 check from Victim 3 was deposited into Bouaziz's Account -9884. That same day, Lamborghini Palm Beach charged Bouaziz's American Express account \$10,000.00. The next day, funds were commingled, when \$200,000.00 was transferred from Account -9884 to Account -3205. That same day, October 26, 2021, \$50,000.00 was transferred from Account -3205 back to Account -9884, and then sent by wire from Account -9884 to YAFA. On October 27, 2021, a \$17,000.00 payment was made from Account -3205 to Bouaziz's (business) American Express account. That same day, a \$100,000.00

transfer was made from Account -3205 to Account -9884. On October 28, 2021, a payment by wire in the amount of \$59,906.25 from Account -9884 was sent to Palm V Associates.

H. Bouaziz Sells Fake Art from His Galleries - Victim 4

53. In December 2021, law enforcement interviewed an individual (“Victim 4”) who reported that four pieces he/she purchased from Danieli Fine Art appeared to be fake. According to Victim 4, in or about April 2021, Victim 4 worked with Bouaziz and a Danieli Fine Art employee to purchase, by credit card, purportedly original artwork by Lichtenstein, Haring, and Henri Matisse (“Matisse”) for a total of \$290,000.00.

54. Subsequent to the purchase, Victim 4 travelled to an art gallery in New York and, with excitement, showed his/her contacts at the gallery the “Holy Grail” of Victim 4’s collection, referring to the four artworks Victim 4 purchased from Danieli Fine Art. Victim 4’s contacts, which included the gallery director, informed Victim 4 that something “looked off” with the works and they seemed fake. Victim 4 and his/her contacts referenced books on Lichtenstein, and Victim 4’s contacts stated that the price Victim 4 paid was too good to be true. Victim 4 learned that the original size of one of the works was 83” x 41,” rather than 8” x 10” as the piece Victim 4 purchased from Bouaziz. Victim 4 discovered other discrepancies as well. Lichtenstein’s *Look Mickey I’ve Hooked a Big One* that Victim 4 purchased as an original print from Bouaziz was in fact only created as a painting. Victim 4 purchased another Lichtenstein work, *Sweet Dreams Baby*, from Bouaziz, that was purportedly an original limited-edition work. However, Victim 4 discovered that the edition number (150) was incorrect, as the real edition of the series was 200 prints. Moreover, Victim 4 found a *Sweet Dreams Baby* print on eBay that appeared to be identical to the *Sweet Dreams Baby* print Victim 4 purchased from Bouaziz. Both pieces had an incorrect

edition number (150), were printed on the same paper, and both included the same raised watermark. The eBay print was selling for approximately \$535.50.

55. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and observed an invoice from Live Auctioneers dated January 24, 2021. The invoice indicated that Bouaziz purchased, from a company in Spain, Lot Number 0124, titled *Roy Lichtenstein, Original Lithograph Limited Edition*, for \$427.00. The invoice listed the billing and shipping address for Bouaziz as 230 Worth Avenue. I reviewed Lot Number 0124, with a date of January 24, 2021, on the Live Auctioneers site and observed an artwork with the same title, *Roy Lichtenstein, Original Lithograph Limited Edition*. The artwork was identical in image to *Sweet Dreams Baby* that Victim 4 purchased from Bouaziz. In the description section on the Live Auctioneers site was written, "Has no certificate." Bouaziz provided to Victim 4 a Danieli Fine Art appraisal which stated the value of the work was \$55,000.00 and which had a stamped signature block that read "Daniel Bouaziz, Certified International Fine Art Appraiser."

56. I also reviewed an invoice dated January 10, 2021, showing that Bouaziz purchased, from a company in New York, Lot Number 0813, titled *Keith Haring*, for a price of \$324.75. The invoice listed the billing address for Bouaziz as 230 Worth Avenue and the shipping address as 925 North Railroad Avenue. I reviewed Lot Number 0813, with a date of January 10, 2021, on the Live Auctioneers site and observed an artwork with the same title, *Keith Haring*. The artwork was identical in image to the Keith Haring work that Victim 4 purchased from Bouaziz. In the description section on the Live Auctioneers site was written, "Attributed or manner of the artist." Based on definitions of the terms and my training and experience in the art field, "attributed" indicates a lack of 100% certainty that a work is by the hand of the artist. "Manner of the artist" indicates that the work was done in the style of the artist but at a later date. Bouaziz provided to

Victim 4 a Danieli Fine Art appraisal which stated the value of the work was \$265,000.00 and which had a stamped signature block that read “Daniel Bouaziz, Certified International Fine Art Appraiser.”

I. Laundering of Proceeds Received from Victim 4

57. The FBI’s analysis of financial records associated with Bouaziz indicate that, on or about April 30, 2021, Victim 4’s \$290,000.00 artwork payment was deposited into Bouaziz’s Account –9031. Prior to the deposit, Account –9031 had an account balance of approximately \$10,507.49. On or about May 3, 2021, Bouaziz utilized the proceeds to pay, by wire, Palm V Associates approximately \$22,631.25, with the Originator to Beneficiary Information (OBI) notating payment for May rent.

58. On or about May 7, 2021, Bouaziz transferred approximately \$212,000.00 from Account –9031 to Account –9884, to include a portion of proceeds from Victim 4’s artwork purchase. Approximately five days later, Bouaziz paid the owner of “RG,” on Worth Avenue, \$55,000.00 from Account –9884. On or about May 17, 2021, Bouaziz paid the owner of RG \$80,000.00 from Account –9884. During an interview on December 15, 2021, the owner of RG told law enforcement agents that he/she sold Bouaziz a limited-edition gun set which included a handgun, a “Tommy Gun,” and a longer gun in or about May 2021. The owner of RG also told law enforcement agents that he/she sold Bouaziz a Cartier diamond bracelet; a Cartier “big nail” bracelet; a Bulgari snake bracelet; and several watches, to include a Rolex Yachtmaster SS and a Patek Philippe watch (the Patek Philippe watch was sold for approximately \$50,000.00-\$60,000.00).

J. Bouaziz Sells Fake Art from His Galleries - Victim 5

59. In or about January 2022, a resident of California ("Victim 5"), spoke with law enforcement. According to Victim 5, while in Palm Beach, Florida, he/she visited Danieli Fine Art and took an interest in Lichtenstein artwork Bouaziz had for sale. Victim 5 described how he/she had looked up Bouaziz's gallery online, before making any purchases, because Victim 5 wanted to ensure that he/she was doing business with an experienced dealer. Based on what Victim 5 had read online (ie: Bouaziz's website), Bouaziz had purportedly been in the art business for approximately 40-50 years.

60. On or about April 27, 2021, Victim 5 purchased, by credit card, a purported original limited-edition Lichtenstein print titled *Collage for Interiors*, from Danieli Fine Art, for \$9,000.00. Victim 5 provided federal law enforcement agents the invoice he/she received for the Danieli Fine Art purchase. The invoice described the piece as being a Roy Lichtenstein "Collage for Interiors," limited edition, hand numbered 53/175 on lower left margin, and signed on plate on the right margin.

61. Victim 5 explained that Bouaziz shipped him/her the artwork. During the execution of the search warrant at Bouaziz's Worth Avenue galleries, law enforcement discovered a FedEx receipt for a package Bouaziz shipped from Florida to Victim 5 in California. Thereafter, on or about August 2021, Victim 5 purchased a second Lichtenstein print from Bouaziz's gallery, by credit card, for \$5,000.00. Bouaziz's gallery provided Victim 5 with COAs for both pieces.

62. In February 2021, I provided the Estate of Roy Lichtenstein with an image identical to that on the certificate of authenticity for the *Collage for Interiors* print. A representative of the Estate of Roy Lichtenstein advised me that the print was an unauthorized reproduction of the Lichtenstein painting *Collage for Interiors*.

K. Bouaziz Sells Fake Art from His Galleries - Victim 6

63. In December 2021, an individual ("Victim 6") notified the FBI that he/she had purchased two pieces of artwork from Bouaziz at Danieli Fine Art on or about April 2021 for \$120,000.00. According to Victim 6, Bouaziz informed Victim 6 at the time of the purchase that both pieces of art, *Les Oublies Saluent* purportedly by artist Frederick Hundertwasser ("Hundertwasser") and "Untitled, Jean Metzinger (1883-1956), Circa 1920" ("*Untitled*") ("Metzinger"), were authentic and had provenance paperwork. However, Bouaziz never provided the paperwork to Victim 6. Subsequent to the purchase, Victim 6 closely reviewed the artwork with associates and determined that both pieces were fake.

64. Victim 6 provided law enforcement agents with a copy of the invoice, numbered 225, for these two pieces of art he/she purchased from Danieli Fine Art ("DFA Invoice 225"). In the description section of DFA Invoice 225, the artworks were described as "Les Oublies Saluent, Frederick Hundertwasser, 10 x 9.25 inches, Mixed Media," and "Untitled, Jean Metzinger (1883-1956), circa 1920, 10 x 13.50, oil on canvas." DFA Invoice 225 listed the sale price for each work as \$60,000.00, for a total of \$120,000.00, which Victim 6 paid to Bouaziz via a wire transfer to Account -9884.

65. During the execution of the Worth Avenue gallery search warrants, law enforcement obtained a Danieli Fine Art COA for *Les Oublies Saluent* and a Danieli Fine Art appraisal for the *Untitled* Metzinger work. Both the COA and the invoice stated, "Provenance: Estate of Hans Schemke, Daniel Bouaziz."

66. I reviewed subpoenaed documents pertaining to Bouaziz's acquisition of artwork and observed an invoice from Live Auctioneers dated July 29, 2020. The invoice indicated that Bouaziz purchased, from a company in New York, Lot Number 0411, titled *Hundertwasser*

Framed Abstract Mixed Media, for \$300.00. The invoice listed the billing and shipping address for Bouaziz as 230 Worth Avenue. I reviewed Lot Number 0411, with a date of July 29, 2020, on the Live Auctioneers site and observed an artwork with the same title, *Hundertwasser Framed Abstract Mixed Media*. The *Hundertwasser Framed Abstract Mixed Media* that Bouaziz purchased for \$300.00 through Live Auctioneers was identical in image to the Hundertwasser *Les Oublies Saluent* that Victim 6 purchased from Bouaziz for \$60,000.00. The description of the piece on the Live Auctioneers website described the work as “wall art” and “home décor,” though the invoice Bouaziz provided to Victim 6 did not include those descriptions.

67. In or about January 2022, I provided an image of the \$300.00 artwork from the Live Auctioneers website to Victim 6, who confirmed that the artwork was one of the pieces he/she had purchased from Bouaziz for \$60,000.00, and which Bouaziz had represented to Victim 6 as authentic, not “wall art” or “home décor.”

L. Laundering of Proceeds Received from Victim 6

68. According to information provided by Victim 6, on or about April 6, 2021, Victim 6 received an email from danielifineart@gmail.com with wire payment instructions for the Metzinger and Hundertwasser pieces. On or about April 7, 2021, Victim 6 provided payment, by wire, in the amount of \$120,000.00 to Account –9884 for the two artworks. The OBI referenced payment for DFA Invoice 225.

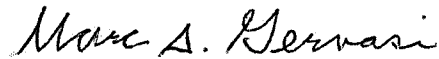
69. The FBI’s analysis of financial records associated with Bouaziz shows that prior to Victim 6’s purchase of the two artworks, there was approximately \$62,577.26 in Account -9884. Following the deposit, checks were made out for cash from the account. Then, on or about April 14, 2021, approximately one week after Victim 6’s \$120,000.00 payment, Bouaziz paid, by wire, \$6,803.50 to Diamond N Jewelry Auctioneers. Also, on or about April 14, 2021, a wire payment,

in the amount of \$72,450.00 was made from Account -9884 to Palm V Associates, for the lease of space at 230 Worth Avenue.

CONCLUSION

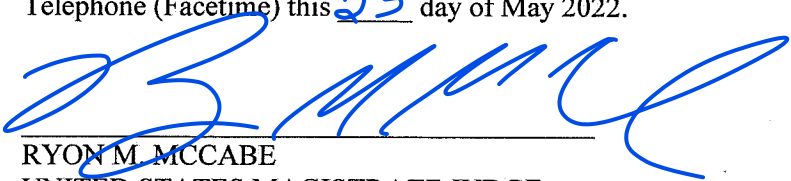
Based on the facts contained in this affidavit, I submit that there is probable cause to believe that Bouaziz committed the crimes of: mail fraud, in violation of 18 U.S.C. § 1341; wire fraud, in violation of 18 U.S.C. § 1343; laundering of monetary instruments, in violation of 18 U.S.C. § 1956(a)(1)(A)(i); and money laundering, in violation of 18 U.S.C. § 1957.

Respectfully submitted,



Marc A. Gervasi
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Telephone (Facetime) this 23 day of May 2022.



RYON M. MCCABE
UNITED STATES MAGISTRATE JUDGE

Attachment A

liveauctioneers

www.liveauctioneers.com/item/95692560



0088: Roy Lichtenstein, Original Lithograph Limited Edition

Sold for €450 • 5 Bids

Est. €900 - €1,300 • Starting Price €250

January Art Auction

Jan 24, 2021 4:15 PM EST

Buyer's Premium 22%

Lot 0088 Details

DESCRIPTION

Color lithography. Signed in plate and numbered in pencil in the print. With licensed and stamp on the back. Castelli Graphics - New York - Styria Studio. Limited edition with the number 12/150. Size: 50 x 40 cm. Has no certificate

CONDITION

Very good condition

Contacts

Novartia Auctions

685523821

C/Capitan Antonio Mena 80

Alicante, 03202

Spain

LiveAuctioneers Support

info@liveauctioneers.com

Figure 1 - Item purchased by Bouaziz for €450 Euros

Attachment A

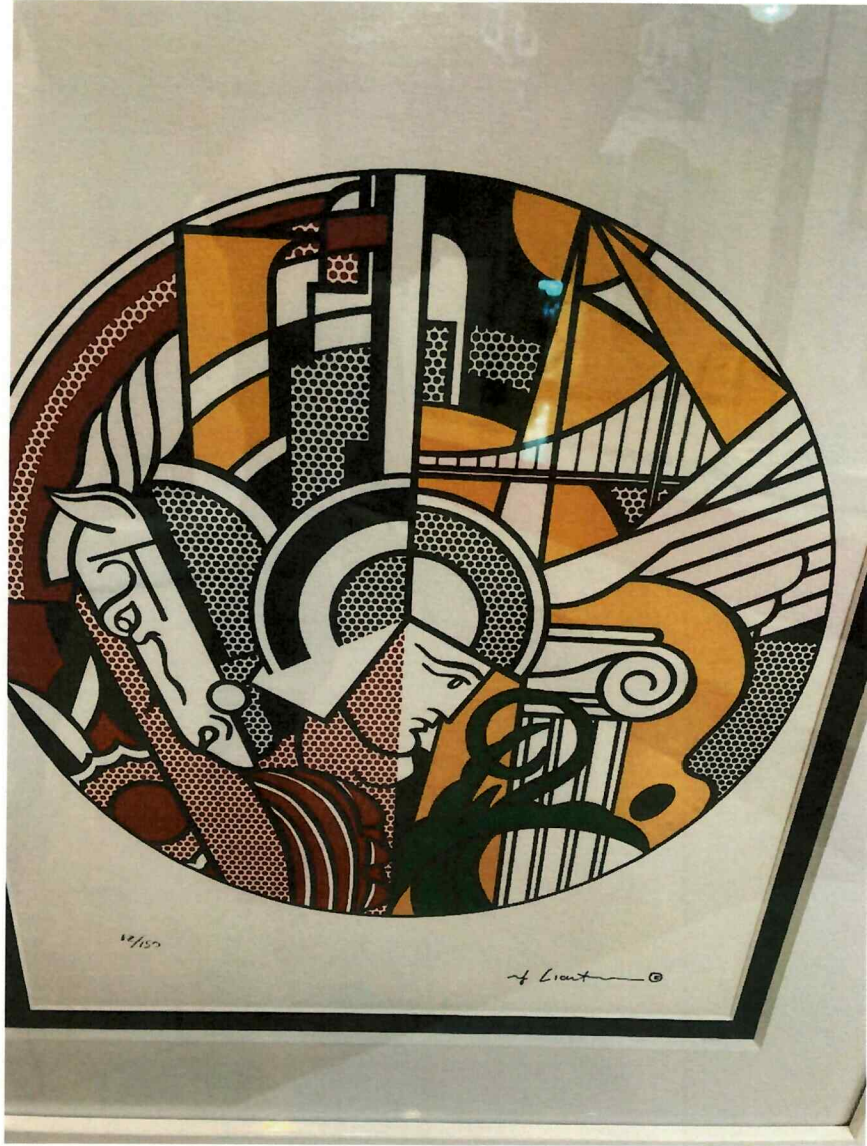


Figure 2- The Solomon R. Guggenheim Museum print sold by Danieli Fine Art for \$25,000.00

Attachment B



Figure 3 - Fake George Rodrigue work being sold by Danieli Fine Art for \$48,000.00

Attachment B

liveauctioneers

www.liveauctioneers.com/item/104348096



0280: AFTER GEORGE RODRIGUE BLUE DOG MIXED MEDIA / PAPER

Sold for \$140 • 3 Bids

Est. \$300 - \$400 • Starting Price \$100

Artwork, Sculpture, Silver & Decorative Arts

Jun 05, 2021 1:00 PM EDT

Buyer's Premium 25%

Lot 0280 Details

DESCRIPTION

After George Rodrigue mixed media painting on paper depicting a Blue Dog. Signed lower left. Measures 16" x 11 1/4" + 6" mat & frame.

Contacts

**Antiques & Modern Auction
Gallery**

(561) 318-1834
811A Belvedere Rd
West Palm Beach, FL 33405
USA

LiveAuctioneers Support
info@liveauctioneers.com

Figure 4 - Item purchased by Bouaziz for \$140.00

Attachment C



Figure 5 - Fake Basquiat painting for sale at Danieli Fine Art for \$12,000,000.00

Attachment C

liveauctioneers

www.liveauctioneers.com/item/95669234



0928: Jean-Michel Basquiat signed

Sold for US\$495 • 2 Bids

Est. US\$1,000 - US\$10,000 • Starting Price US\$300

January 2021 Consignment Auction

Jan 10, 2021 3:15 PM EST

Buyer's Premium 29.9%

Lot 0928 Details

DESCRIPTION

Oil on board 17 3/4 x 13 1/2 in. Attributed or manner of the artist Jean-Michel Basquiat (December 22, 1960 – August 12, 1988) was an American artist of Haitian and Puerto Rican descent. Basquiat first achieved fame as part of SAMO, an informal graffiti duo who wrote enigmatic epigrams in the cultural hotbed of the Lower East Side of Manhattan during the late 1970s, where rap, punk, and street art coalesced into early hip-hop music culture. By the 1980s, his neo-expressionist paintings were being exhibited in galleries and museums internationally. The Whitney Museum of ...

Contacts

Rhyton Gallery

1 212 457 1564

347 5th Avenue

New York City, NY 10016

USA

LiveAuctioneers Support

info@liveauctioneers.com

Figure 6 - Basquiat work purchased by Bouaziz for \$495.00

Attachment D

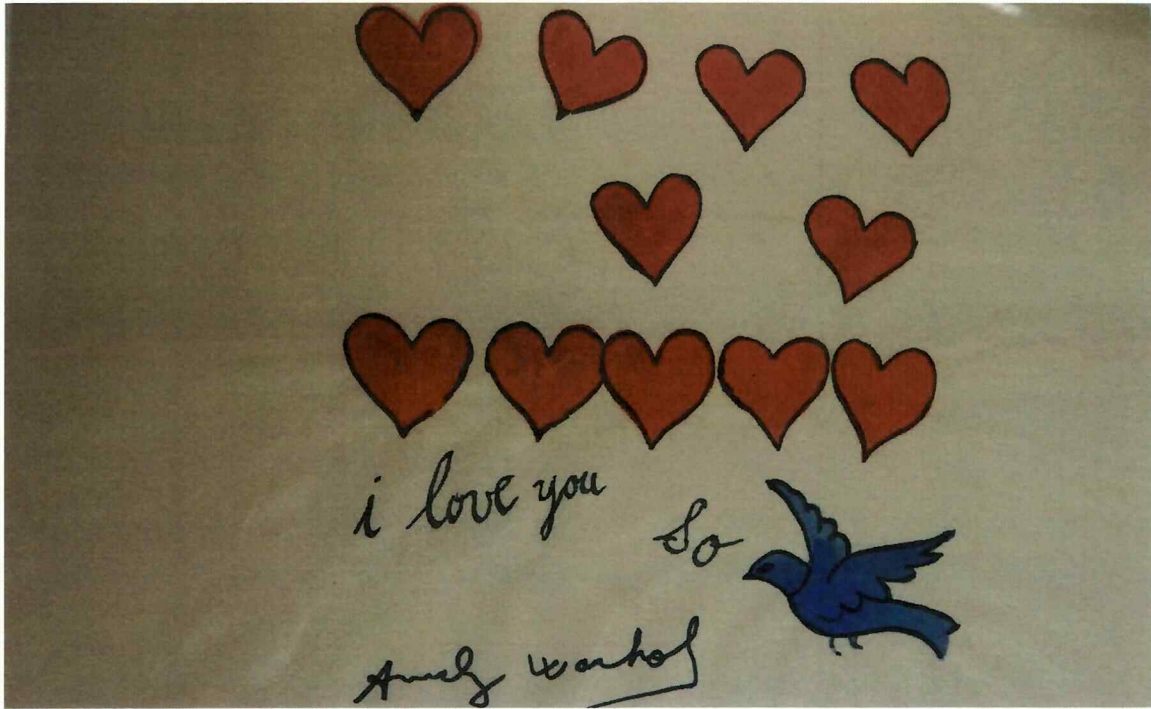


Figure 7 - AND I LOVE YOU SO sold to Victim 1 for \$85,000.00

Attachment D

liveauctioneers

www.liveauctioneers.com/item/71932182



0012: After Andy Warhol American (1928-1987)

Sold for \$100 • 1 Bid

Est. \$2,000 - \$3,000 • Starting Price \$100

Fine Art Auction - Start / No Reserves!!

May 22, 2019 5:00 PM EDT

Buyer's Premium 5%

Lot 0012 Details

DESCRIPTION

Attributes: Signed, with estate stamp on verso. After Andy Warhol - Media: Color ink on paper - Condition: Good condition, slight yellowing on paper - Provenance: Private collection, South America - Dimensions (cm): 21.5 by 33 - Dimensions (inches): 8 1/2 by 13 - Biography: Andy Warhol was a leading figure in the Pop Art movement. Like his contemporaries Roy Lichtenstein and Robert Rauschenberg, Warhol responded to mass-media culture of the 1960s. His silkscreens of cultural and consumer icons-including Marilyn Monroe, Elizabeth Taylor, Campbell's Soup Cans, and Brillo.

CONDITION

All lots that do not carry established documented provenance nor any past record of auction history record are described in the catalog as attributed. All authorship of items in this catalog are described according to the following terms: Signed [Artist Name] : In cases in which the signature is legible in the lot, this work is described as-is with no attributions given. By [Artist Name] : The work is by the artist. Attributed to [Artist Name] : The work may be ascribed to the artist on the basis of style, but there may be some question as to actual authorship. In the manner of [Artist Name] :...

Contacts

International Art Auction Network

011 51922896256

Alejandro Deustua Street # 154

Lima, 07011

Peru

LiveAuctioneers Support

info@liveauctioneers.com

Figure 8 - Item purchased by Bouaziz for \$100.00

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: DANIEL ELIE BOUAZIZ

Case No: 22-mj-8209-RMM

CRIMINAL COMPLAINT CHARGES:

Count 1:

18 U.S.C. § 1341 – Mail Fraud

*** Max. Penalty:** Up to 20 years' incarceration; 3 years of supervised release; \$250,000 fine, and a mandatory \$100 special assessment

Count 2:

18 U.S.C. § 1343 – Wire Fraud

*** Max. Penalty:** Up to 20 years' incarceration; 3 years of supervised release; \$250,000 fine, and a mandatory \$100 special assessment

Count 3:

18 U.S.C. § 1956(a)(1)(A)(i) – Laundering of Monetary Instruments

*** Max. Penalty:** Up to 20 years' incarceration; 3 years of supervised release; \$500,000 fine or twice the value of the property involved in the transaction, and a mandatory \$100 special assessment

Count 4:

18 U.S.C. § 1957 – Money Laundering

*** Max. Penalty:** Up to 10 years' incarceration; 3 years of supervised release; \$250,000 fine or twice the value of the criminally derived property involved in the transaction, and a mandatory \$100 special assessment

***Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**